

ORDINANCE NO. 118

CITY OF LACEY

AN ORDINANCE AMENDING SECTIONS 1B and 1N OF ORDINANCE NUMBER 104, PASSED ON DECEMBER 19, 1968, AND DECLARING AND FIXING RATES FOR WATER SERVICE AND WATER CONNECTIONS; PROVIDING A BULK RATE FOR LARGE WATER USERS; PROVIDING FOR THE COLLECTION OF CONNECTION CHARGES FOR USERS NOT PREVIOUSLY ASSESSED; PROVIDING FOR THE COLLECTION OF CONNECTION CHARGES FOR THE EXTENSION OF WATER FACILITIES BY PRIVATE CONTRACT; PROVIDING FOR PENALTIES AND LIENS FOR ENFORCEMENT IN CASE OF FAILURE TO MAKE CONNECTIONS OR PAY RATES OR CHARGES OR ABIDE BY RULES AND REGULATIONS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY AS FOLLOWS:

Section 1. That Section 1 B of Ordinance No. 104, passed on December 19, 1968, is hereby amended to read as follows:

B. STANDARD SERVICE CONNECTION:

(1) The construction of a standard new service connection by the City of Lacey for water shall include all labor, pipe and fittings up to the property line. The charges for the labor and materials, including the meter and its installation, for a standard service connection shall be as follows:

<u>Type of Service</u>	<u>Meter Size</u>	<u>Connection Charge</u>
Single Residence	5/8 x 3/4"	\$150.00
Commercial	5/8 x 3/4"	\$150.00
Commercial	3/4"	\$175.00
Commercial	1"	\$200.00
Commercial	1-1/4"	\$225.00
Commercial	1-1/2"	\$250.00
Commercial	2"	\$300.00
Commercial	3"	\$550.00
Commercial	4"	\$750.00

See Ord 151

Over 4" Meter -- as set by contract with the City.

Where the customer already has a connection and requests an additional connection or a new connection, the charge shall be the cost of labor and material, plus fifteen (15%) per cent.

On connections for sprinkling only, the charge shall be the costs of the material and labor, plus fifteen (15%) per cent.

No water connection shall be made until the person desiring the same has signed an application at the office of the City of Lacey, Water Department, and paid the charges imposed herein.

(2) The construction of a standard new service connection by a contractor, developer or district shall be allowed, provided that said contractor, developer or district takes out a permit from the City of Lacey for said standard service connection work and completes the same subject to the City's inspection and approval, and provided further, that said standard service connection shall include all labor, pipe and fittings, up to the property line, but shall not include the furnishing and installation of the water meter nor the turn-on of the water which work shall be done by the City of Lacey, Water Department. Prior to the commencement of said service connection work by a contractor, developer or district, they shall furnish, obtain and transfer or provide for any necessary and proper franchises for said work. Provided further, that whenever any of said lines lie on private right-of-way, said contractor, developer or district must deed said lines and grant easements to the City up to the property line of the lot to be served by water. The charges for the City's furnishing of the water meter, installation of the meter and turn-on of the water for a standard service connection made by the contractor, developer, or district shall be as follows:

<u>Type of Service</u>	<u>Meter Size</u>	<u>Connection Charge</u>
Single Residence	5/8 x 3/4"	\$50.00

The provisions of this Section shall apply retroactively and relate back to the effective date of Ordinance No. 104, passed on the 19th day of December, 1968, and allow for an appropriate refund to any contractor, developer or district who has made a standard service connection at its own expense under the rate schedule set out in Ordinance No. 104, Section 1 B.

Section 2. That Section 1 N of Ordinance No. 104, passed on December 19, 1968 is hereby amended to read as follows:

N. WATER RATES -- METERED:

For all connections to the system, whether inside or outside the corporate limits of the City of Lacey, the minimum monthly charges and the allowable consumption in units of one hundred (100) cubic feet for different sized meters shall be as follows:

<u>Type of Service</u>	<u>Meter Size</u>	<u>Cubic Ft. Water Included in Minimum Charge</u>	<u>Monthly Minimum</u>
Single Residence	5/8 x 3/4"	500	\$ 3.75
Multiple Unit Dwellings	-	300	2.75
Commercial	5/8 x 3/4"	500	4.00
Commercial	3/4"	500	6.00
Commercial	1"	500	7.50
Commercial	1-1/4"	500	9.00
Commercial	1-1/2"	500	12.50
Commercial	2"	500	14.50
Commercial	3"	500	28.00
Commercial	4"	500	42.00

Amended by Ord. 121

Over 4" Meter -- as set by contract with the City.

The rate for consumption over the minimum shall be @ \$.20 per 100 cubic feet EXCEPT that all consumption over 15,000 cubic feet per month shall be at the rate of \$.15 per

100 cubic feet. All meters will be read to the nearest one hundred cubic feet and the consumption and billing will be in units of one hundred cubic feet each.

Where the size of the connection is different from that of the meter on such connection, the size of the meter shall be based on the standard safe operating capacity in gallons per minute, as follows:

<u>Meter Size</u>	<u>Safe Operating Capacity</u> <u>GPM</u>
5/8"	20
3/4"	30
1"	50
1-1/2"	100
2"	160
3"	300
3" Compound	320
3" Current	400
4" Disk	500
4" Compound	500
4" Current	700
6" Disk	1000
6" Compound	1000
6" Current	1600

Water included in the minimum bill shall be included in the consumption to determine the ranges for application of rates but shall not be charged for in computing the charges for water used.

Whenever unusual circumstances temporarily require an unmetered service, the minimum charge shall be applied on the basis of the size of the service connection.

A minimum charge and rate for water applies to each building connected to the service on a domestic or combination domestic and commercial service and on each meter where more than one is used.

Where buildings connected to a single or multiple service are used in the same business under a single management, billing shall be made as for a single service. Where more than one service supplies the premises, the consumption of water for each meter may be computed separately.

Where drinking fountains, toilets, urinals or other fixtures are placed for the benefit of the public, said fixture shall be supplied with water through a meter only and water shall be charged for at the regular meter rates as prescribed in this section.

Section 3. PROPERTY NOT PREVIOUSLY ASSESSED:

Property abutting on but not previously assessed or not having previously contributed its proportionate share of construction costs for standard 6" water mains, including not only those directly connected thereto, but also users connected to laterals or branches connecting thereto, EXCEPT those properties abutting on water mains in existence on January 1, 1969, or installed as the result of City of Lacey Bonding Ordinance No. 102, may be connected to such abutting mains upon the payment of a special connection charge equal to \$4.50 per front foot of the property to be served, which charge may be paid either in cash or in four (4) quarterly payments over a twelve (12) month period from date of connection. Such connection charge shall be in addition to other connection charges herein provided. If the property owner elects to make payments on a quarterly basis, he shall execute a contract in such form as prescribed by the City Council to pay such charge with the provision that any unpaid balance may be

paid in full on the date of any quarterly payment. Such contract shall be a covenant running with the land and shall provide that the unpaid balance of the connection charge shall be a lien upon the property to which such connection is made, superior to all other liens and encumbrances except those for general taxes and special assessments which may be foreclosed in the same manner provided by law for the foreclosure of delinquent local improvement district assessment liens. The contract shall be recorded in the office of the Thurston County Auditor at the expense of the property owner and upon payment in full, a release of said lien shall be executed for the City of Lacey by the Mayor and attested by the City Clerk. Said contract shall further provide that in the event of delinquency in the payment of such connection charge, the water superintendent may disconnect the City's water service from, and refuse to supply water to, the premises in default until said delinquent payments are paid in full. This remedy shall be concurrent with and in addition to the City's right to foreclose said lien as herein provided.

Provided that nothing herein shall be deemed to bar the City upon order of the City Council as a part of a street improvement program from replacing any existing mains with new mains of any size to prevent future street disruption for water main repairs and such replacement may be made without cost to the abutting property or upon such apportionment of cost as the Council shall deem reasonable.

All connection charges so received shall be considered revenue of the Water Department of the City of Lacey, EXCEPT as affected by Section 5 herein.

All ordinances, rules, regulations and procedures relating to the use, maintenance and connections for water service in the City of Lacey as the same now are or may hereafter be adopted by the City of Lacey shall apply with equal force to such water service connections.

Future service connections to property abutting the water main including users connected to laterals or branches connected thereto on which a water service connection charge has not been paid but which adjoins a specific parcel of property previously charged shall be subjected to the charges as hereinabove set forth.

The connection charge hereinabove provided for in this section shall be credited to and considered as a benefit to the specific premises served by said connection. Said premises so benefited shall be legally described and posted by the City of Lacey and recorded as a part of the City's permanent records pertaining thereto. No further water service connection charges shall be collected against said premises so described.

Section 4. MAIN WATER MAIN EXTENSIONS: Extensions of a permanent main constructed in accordance with City standards may be made by privately financed contract or by local improvement district procedures. Prior to the award of contract for a privately financed project, the developer for whom the mains are being constructed must make the necessary arrangements with the City of Lacey and enter into a contract satisfactory to the City.

The transfer of any mains to the City shall be on the condition that the owner, district, company, constructor or

developer shall furnish, transfer or provide for any necessary and proper franchise. Upon approval of the City Council, (by ordinance where prior ownership exists in a legal entity other than a private party) the Mayor may accept for the City Council such extensions of permanent mains made by private contract and accept ownership of such existing mains for maintenance and operation.

Section 5. PRIVATE CONTRACT WATER MAIN CONSTRUCTION-REIMBURSEMENT BY SUBSEQUENT USERS:

Whenever permanent water mains, hydrants or appurtenances are constructed or installed under private contract and subsequently accepted by the City, the constructor shall designate in writing to the City, the property having contributed its share toward the cost of constructing said mains, hydrants or appurtenances and there shall be collected by the City, from any owner of real estate who did not contribute to the original cost of such water facilities, a fair pro-rata share of the cost of the construction of said water facilities, including collection not only from those owners directly connected thereto, but also users connected to laterals or branches connecting thereto.

The City shall record said contract in the office of the Thurston County Auditor at the expense of party constructing said water facilities under private contract. Said recorded contract shall include a schedule listing and legally describing those properties abutting on said water facilities which have not contributed toward the cost of construction. The City shall pay said pro-rata share of costs collected to constructors of said

water facilities provided no payment to such constructors shall be made more than 15 years after the installation and acceptance by the City of the water facilities.

PASSED BY the Council and approved by the Mayor this 25TH day of September, 1969.

R.G. Hermann
MAYOR

ATTEST:

C. Keetch
CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY